

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

17

Paris Drake

USCA NO. 08-2336-Pr.

-v-

Robert Woods, Superintendent

SDNY NO. 07-cv-07015-DC

JUDGE: Denny Chin

DATE: 6/13/08

INDEX TO THE RECORD ON APPEAL

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USDC SDNY
DOCUMENT
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DOC #: 17
DATE FILED: 6/13/08

DISTRICT COURT DOCKET ENTRIES

DOCUMENTS

DOC#

Clerk's Certificate

See Attached List of Numbered Documents

Only Circled Documents Included

7 vbls.

(☒) Original Record

(☐) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the 13 Day of June, 2008.

United States District Court for
the Southern District of New York

Paris Drake

-v-

Robert Woods

Date: 6/12/08
U.S.C.A. # 08-2336-Pr
U.S.D.C. # 07 cv 7015
D.C. JUDGE: DC

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 12, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

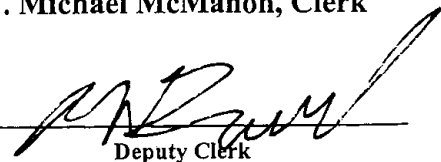
Date Filed

Document Description

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 12 Day of June In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232nd year.

J. Michael McMahon, Clerk

By


Deputy Clerk

APPEAL, CLOSED, HABEAS

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:07-cv-07015-DC
Internal Use Only

Drake v. Woods
Assigned to: Judge Denny Chin
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 08/06/2007
Date Terminated: 04/11/2008
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Date Filed	#	Docket Text
08/06/2007	<u>1</u>	ENDORSEMENT on Declaration in Support of Request to Proceed In Forma Pauperis, I.F.P. REQUEST IS GRANTED. (Signed by Part I Judge Kimba M. Wood on 8/6/2007) (mbe) . (Entered: 08/07/2007)
08/06/2007	<u>2</u>	PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254. Document filed by Paris Drake.(mbe) (Entered: 08/07/2007)
08/06/2007		Magistrate Judge Frank Maas is so designated. (mbe) (Entered: 08/07/2007)
08/06/2007	<u>3</u>	MOTION for Leave to file his Petition for Habeas Corpus. Document filed by Paris Drake.(mbe) (Entered: 08/07/2007)
08/06/2007	<u>4</u>	MEMORANDUM OF LAW in Support re: 2 Petition for Writ of Habeas Corpus. Document filed by Paris Drake. (mbe) (Entered: 08/07/2007)
09/28/2007	<u>5</u>	ENDORSED LETTER addressed to Judge Denny Chin from Mark Dwyer dated 9/27/07 re: counsel requests an extension to November 1, 2007 of the date reply papers will be filed. ENDORSEMENT: Petitioner's reply papers are now due 11/21/07. (Signed by Judge Denny Chin on 9/28/07) (dj) (Entered: 09/28/2007)
11/01/2007	<u>6</u>	STATE COURT TRANSCRIPT of proceedings in the Supreme Court, County of New York, Case Number 9655-99, held on 7/19/00 before Judge Charles Solomon.(jpo) (Entered: 11/02/2007)
11/01/2007	<u>7</u>	STATE COURT TRANSCRIPT of proceedings in the Supreme Court, County of New York, Case Number 9655-99, held on 11/13/00 before Judge Laura Visitacion-Lewis.(jpo) (Entered: 11/02/2007)
11/01/2007	<u>8</u>	STATE COURT TRANSCRIPT of proceedings in the Supreme Court, County of New York, Case Number 9655-99, held on 11/22/00 before Judge Laura Visitacion-Lewis.(jpo) (Entered: 11/02/2007)
11/01/2007	<u>9</u>	STATE COURT TRANSCRIPT of proceedings in the Supreme Court, County of New York, Case Number 9655-99, held on 10/30/00 before Judge Laura Visitacion-Lewis.(jpo) (Entered: 11/02/2007)
11/01/2007	<u>10</u>	STATE COURT TRANSCRIPT of proceedings in the Supreme Court, County of New York, Case Number 9655-99, held on 11/12/00 before Judge Laura Visitacion-Lewis.(jpo) (Entered: 11/02/2007)
11/01/2007	<u>11</u>	MEMORANDUM OF LAW in Support of Answer to Petition for a Writ of Habeas Corpus. Document filed by Robert Woods. (dj) (Entered: 11/05/2007)
11/01/2007	<u>12</u>	RESPONSE to Petition for Writ of Habeas Corpus. Document filed by Robert Woods.(dj) (Entered: 11/06/2007)
11/19/2007	<u>13</u>	REPLY MEMORANDUM OF LAW in Support of Petition for Writ of Habeas Corpus. Document filed by Paris Drake. (dj) (Entered: 11/20/2007)
04/10/2008	<u>14</u>	OPINION # 95957: the petition for a writ of habeas corpus is denied. Because petitioner has not made a substantial showing of the denial of a constitutional right, I decline to issue a certificate of appealability I certify pursuant to 28 U.S.C. section 1915(a)(3) that any appeal taken from this decision would not be in good faith. The Clerk of the Court shall be directed to enter judgment accordingly and to close this case. (Signed by Judge Denny Chin on 4/10/08) (pl) Modified on 4/15/2008 (rw). (Entered: 04/10/2008)
04/10/2008		Transmission to Judgments and Orders Clerk. Transmitted re: <u>14</u> Memorandum & Opinion, to the Judgments and Orders Clerk. (pl) (Entered: 04/10/2008)
04/11/2008	<u>15</u>	CLERK'S JUDGMENT That for the reasons stated in the Court's Opinion dated April 10, 2008, the petition for a writ of habeas corpus is denied; the Court finds that because petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue; the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from the Opinion dated April 10, 2008 would not be taken in good faith. (Signed by J. Michael McMahon, clerk on 4/11/08) (Attachments: # <u>1</u> notice of right to appeal)(ml) (Entered: 04/11/2008)
04/14/2008		Mailed notice of Right to Appeal to Attorney(s) of Record: Mark Dwyer, Richard M. Greenberg. (ama) (Entered: 04/14/2008)

05/06/2008	16	NOTICE OF APPEAL from <u>15</u> Clerk's Judgment. Document filed by Paris Drake. Copies mailed to attorney(s) of record: District Attorney, NYC. (tp) (Entered: 05/07/2008)
05/06/2008		Appeal Remark as to 16 Notice of Appeal filed by Paris Drake. IFP GRANTED. (tp) (Entered: 05/07/2008)
05/07/2008		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 16 Notice of Appeal. (tp) (Entered: 05/07/2008)
05/07/2008		Transmission of Notice of Appeal to the District Judge re: 16 Notice of Appeal. (tp) (Entered: 05/07/2008)